

Chapter 37

TAXICABS, RENTAL CARS*

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ARTICLE I. IN GENERAL

Secs. 37-1—37-15. Reserved.

ARTICLE II. TAXICABS☐☐

DIVISION 1. GENERALLY

Sec. 37-16. Definitions.

For the purposes of this article, the following words shall have the meanings respectively ascribed to them by this section:

Certificate: A certificate of public convenience and necessity issued by the city council, under the provisions of this article, authorizing the holder thereof to conduct a taxicab business in the city.

Driver: The person in control of or driving a taxicab.

Holder: A person to whom a certificate of public convenience and necessity has been issued.

Manifest: A daily record prepared by a taxicab driver of all trips made by such driver, showing time and place of origin, destination, number of passengers and the amount of fare of each trip.

Owner: The purchaser of any vehicle under reserved title contracts as well as the actual owner.

Taxicab: A motor vehicle or motorcar operated for hire, in charge of a chauffeur or driver, for the transportation of passengers, which does not operate over a fixed or definite route.

Taximeter: A meter instrument or device attached to a taxicab which measures mechanically the distance driven and the waiting time upon which the fare is based. (Tax Code 1959, § 31-1; Ord. No. O-96-136, 5-14-96)

Sec. 37-17. Authority of city manager generally.

The inspection of taxicabs, the sealing of taximeters and the examination of applicants for certificates shall be under the control and jurisdiction of the city manager. (Tax Code 1959, § 31-2)

***Charter reference**—Authority to regulate the use of vehicles for hire, § 38(26).

Cross references—Buses, Ch. 12; police, Ch. 31; license taxes, § 36-16 et seq.

☐☐**Cross references**—License fee for advertising on taxicabs, § 36-44; for taxicabs, § 36-100.

Sec. 37-18. Appointment of taxicab inspector.

The city manager may designate a person from the personnel of the department of police to act as taxicab inspector as may be necessary to carry out the provisions of this article. (Tax Code 1959, § 31-3)

Sec. 37-19. Compliance with article generally.

It shall be unlawful for any person to drive or cause to be driven on the streets of the city any taxicab without complying with the conditions, regulations and restrictions set out in this article. (Tax Code 1959, § 31-27)

Sec. 37-20. Compliance with article prerequisite to advertisement as taxicab operator.

No person shall use the term taxi or taxicab in advertising, nor shall any person hold himself out to the public as a taxi or taxicab owner, or represent himself to be such by means of advertisement, sign, trade name, or otherwise, unless such person shall have previously thereto complied with the regulations and requirements of this article. (Tax Code 1959, § 31-28)

Sec. 37-21. Application of traffic, etc., laws of city and state.

All the traffic and other laws of the city and the state applicable thereto shall apply to owners and drivers of taxicabs. (Tax Code 1959, § 31-29)

Sec. 37-22. Penalty.

Any person who shall violate any of the provisions of this article for which no other penalty is provided shall be deemed guilty of a class 2 misdemeanor, in addition to the revocation or suspension of such person's certificate or registration by the city manager or the chief of police, as provided in this article. (Tax Code 1959, § 31-30)

Sec. 37-23. Receipt and discharge of passengers on sidewalk.

Drivers shall not receive or discharge passengers in the roadway, but shall pull up to the right-hand sidewalk as nearly as possible or, in the absence of a sidewalk, to the extreme right-hand side of the street and there receive or discharge passengers; provided, that upon one-way streets, passengers may be discharged at either the right-hand or left-hand sidewalk or side of the street in the absence of a sidewalk. (Tax Code 1959, § 31-10)

Sec. 37-24. Additional passengers.

No driver shall permit any person other than the person first employing the taxicab to occupy or ride in a taxicab, unless the person first employing the taxicab shall consent to the acceptance of an additional passenger. (Tax Code 1959, § 31-11)

Sec. 37-25. Restriction on number of passengers.

No driver shall permit more than five (5) persons, other than the driver, to be carried in a taxicab. A child in arms shall not be counted as an additional person. (Tax Code 1959, § 31-12)

Sec. 37-26. Drivers bearing evidence of intoxicating beverages.

No owner of a taxicab shall permit any driver to work if he reports for duty with any evidence of intoxicating beverages upon his person or upon his breath. (Tax Code 1959, § 31-14)

Sec. 37-27. Equipment and condition of vehicles.

Every taxicab operated within the city must meet all the requirements of the provisions of this Code and other ordinances of the city and the laws of the state as to lights, brakes, horn and inspection, and must be kept in a good, clean, neat and safe condition and appearance. (Tax Code 1959, § 31-15)

Sec. 37-28. Type of vehicle required.

Taxicabs operated within the city shall be of a closed or sedan type with at least four (4) doors and of not less than five (5) passenger capacity. (Tax Code 1959, § 31-16)

Sec. 37-29. Disposition of money or property left in cab.

The driver in charge of any taxicab operated within the city shall carefully preserve any money or other property left in such vehicle by any passenger and such money or other property shall be promptly deposited with the owner of the vehicle, who shall deliver a receipt for the same. The owner shall promptly notify the passenger, if known, of the money or property found and return the same upon request. In the event such passenger is unknown, the owner shall file in writing a report to the chief of police and shall keep the money or property at some convenient place within the city where the same may be called for by the owner. When such money or other property shall have been identified and ownership established, the same shall be delivered to the owner. Any property, money or other thing which shall not have been called for within sixty (60) days shall be disposed of according to law. (Tax Code 1959, § 31-17)

Sec. 37-30. Establishment and use of open stands on streets.

(a) The city manager may establish open stands in such places upon the streets of the city as he deems necessary for the use of taxicabs operated in the city. Such stands shall not be created without taking into consideration the need for such stands by the taxicab owners and the convenience of the general public. The city manager shall prescribe the number of taxicabs that shall occupy such open stands and shall not create an open stand in front of any place of business where the abutting property owner objects to same or where such stand would tend to create a traffic hazard.

(b) Open stands shall be used by the different drivers on a first-come-first-serve basis. The driver shall pull onto the open stand from the rear and shall advance forward as the taxicab ahead pulls off. Drivers shall stay within five (5) feet of their taxicabs in such stands and shall not engage in loud or boisterous talk while occupying an open stand. Nothing in this section shall be construed as preventing a passenger from boarding a taxicab of his choice that is parked at any such open stand. No vehicle, other than taxicabs, shall at any time occupy a space in a taxicab stand. (Tax Code 1959, § 31-18)

Sec. 37-31. Drivers' manifests.

(a) Every driver shall maintain a daily manifest upon which is recorded all trips made each day, showing the time and place of origin and destination of each trip and amount of fare. All such completed manifests shall be returned to the owner by the driver at the conclusion of his hours of duty. The forms for each manifest shall be furnished to the driver by the owner and shall be of a character approved by the city manager.

(b) Every holder of a certificate shall retain and preserve all drivers' manifests in a safe place for at least one year and such manifests shall be subject to inspection by the city manager and by personnel of the division of police. (Tax Code 1959, § 31-19)

Sec. 37-32. Records as to receipts, expenses, etc.

Every holder of a certificate shall keep accurate records of receipts and operating expenses, capital expenditures and such other operating information as may be required by the city manager. Every such holder shall maintain the records containing such information and other data required by this section at a

place readily accessible for examination by the city manager, or his designated representative. (Tax Code 1959, § 31-20)

Sec. 37- 33. (Re pealed by Ord. No. O- 96- 136, 5- 14- 96)

Sec. 37- 34. Ac ci dent re ports.

All accidents arising from or in connection with the operation of taxicabs which result in death or injury to any person or in damage to any vehicle or to any property shall be reported within twenty-four (24) hours from the date of occurrence to the police division on a form of report to be furnished or approved by the chief of police. (Tax Code 1959, § 31-22)

Sec. 37- 35. Rules and regu la tions.

The city manager may from time to time make such additional rules and regulations not in conflict with the provisions of this article as he may deem proper to regulate the operation of taxicabs within t he city. The city manager shall give written notice of such additional rules and regulations to all holders of certificates and such additional rules and regulations shall become effective at the time specified in such notice. Failure to comply with any such additional rules and regulations shall be grounds for the revocation or suspension of the certificate held by the person who fails, or whose employees willfully or continuously fail, to comply with the same. (Tax Code 1959, § 31-24)

Sec. 37- 36. Po lice to watch cer tifi cate hold ers and driv ers; re port, etc., of vio la tions.

The members of the police department shall watch and observe the conduct of holders of certificates and of drivers operating under this article. Upon discovering a violation of the provisions of this article, a member of the police department shall report such violation to the city manager who will order or take appropriate action. (Tax Code 1959, § 31-25)

Sec. 37- 37. Ad ver tis ing signs.

(a) No taxicab using the streets of the city shall have on the exterior thereof any advertising signs of any description, except as follows:

- (1) Signs that designate the name and telephone number of the owner and number of the taxicab.
- (2) Signs for which compensation is received located on the rear of such taxicabs and displayed only after the owner of such taxicabs has obtained a license therefor as provided in section 36-44.
- (3) Signs displayed without compensation therefor and with the written approval of the city manager on the bumpers of taxicabs for the purpose of advertising campaigns or events sponsored by the federal, state or local government for governmental purposes, or sponsored by charitable, benevolent or civic organizations for charitable or civic purposes. Unless it appears to the satisfaction of the city manager that the proceeds from such campaigns or events will be entirely devoted to governmental, charitable or civic purposes, the city manager shall withhold approval.

(b) In no event shall any alcoholic beverage of any kind be advertised on any sign permitted under this section.

(c) No advertising matter permitted under this section shall be on board or other type of support, which projects beyond the regular lines of the body of any taxicab or which in any way interferes with the normal vision of the driver of such taxicabs or which in any way obstructs the view of license plates, lights or visual signal devices required by state law. (Tax Code 1959, § 31-26)

Secs. 37- 38—37- 43. Re served.

DIVISION 2. OVERALL TAXICAB SERVICE

Sec. 37- 44. Re fus al to ac cept calls or pas sen gers; fail ure or re fus al to give over all serv ice.

The holder of a certificate who shall refuse to accept a call anywhere within the city or refuse to accept a passenger for delivery to any place within the city or within one mile of the city when such holder has available a taxicab or who shall fail or refuse to give overall service shall be guilty of a misdemeanor and the certificate granted to such holder shall be suspended or revoked at the discretion of the city manager subject to the provisions of sections 37-74 through 37-77. (Tax Code 1959, § 31-31)

Sec. 37- 44.1. Viola tion by pas sen gers; mis de meanor, objec tion.

Any passengers in a taxicab who fail to act in a orderly manner so as to permit the safe operation of the taxicab by the driver, or who fail to obey the directions of the driver or person in charge of the taxicab, to act in an orderly manner, shall be deemed guilty of a class 4 misdemeanor. Furthermore, such persons may be ejected from any taxicab by the driver or person in charge of the taxicab, or by any police officer or other conservator of the peace; and in case such persons ejected have paid their fares, they shall not be in entitled to the return of any part of the same. For the refusal of any passenger to abide by the direction of the driver or person in charge of the taxicab, and his consequent ejection from such taxicab, neither t he driver, owner, manager or company operating or owning the taxicab shall be liable for damages in any court. (Ord. No. O-96-136, 5-14-96)

Sec. 37- 45. Re fus al to re spond to tele phone call or to trans port pas sen ger.

No driver shall refuse to respond to any telephone call or refuse to transport an orderly passenger to any place within the city or within one mile of the limits thereof, provided he is not otherwise engaged. (Tax Code 1959, § 31-13)

Sec. 37- 46. An swer ing calls.

Holders of certificates shall answer all calls received by them for service inside the city as soon as they can do so and, if such service cannot be rendered within a reasonable time, they shall then notify the prospective passenger how long it will be before service can be given. (Tax Code 1959, § 31-34)

Sec. 37- 47. So lici ta tion of pas sen gers; cru is ing.

Taxicabs shall not be permitted to stand or cruise, seeking employment, nor shall any person solicit, by word, signal or otherwise, patronage for such vehicles on any street or public property, other than at taxicab stands so designated or assigned for the purpose. (Tax Code 1959, § 31-9)

Secs. 37- 48—37- 53. Re served.

DIVISION 3. CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Sec. 37- 54. Re quired.

No person shall operate or cause to be operated any taxicab upon the streets of the city without first having obtained a certificate from the city council. (Tax Code 1959, § 31-36)

Sec. 37- 55. Ap pli ca tion gen er ally.

An application for a certificate shall be filed in duplicate with the city manager and shall be verified under oath and shall furnish the following information.

- (a) The name and address of the applicant and shall state that the applicant is at least twenty-one (21) years of age.
- (b) The trade name under which the applicant does or proposes to do business.
- (c) If the applicant is a corporation, the officers, directors and principal stockholders of the corporation.
- (d) The financial status of the applicant, including the amounts of all unpaid judgments against the applicant and the nature of the transaction or acts giving rise to such judgments.
- (e) The experience of the applicant in the transportation of passengers.
- (f) Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a certificate.
- (g) The number of vehicles desired to be operated by the applicant, the location of proposed depots and terminals, and the parking or garage facilities thereat.
- (h) The color scheme or insignia to be used to designate the vehicle or vehicles of the applicant.
- (i) Such further information required by the city manager and which may be relevant and pertinent to the matter of the issuance of a certificate.
- (j) In the event two (2) or more persons, not operating as a corporation or partnership and who own or propose to own individually one or more taxicabs, associate together for the purpose of operating taxicabs under one trade name, each such person shall file an application for a certificate with the city manager and shall, in addition to the information required above, give the names and addresses of the other person or persons who are associating together to operate under such trade name, and the number of cabs to be operated by each such person. (Tax Code 1959, § 31-37; Ord. No. O-96-136, 5-14-96)

Sec. 37- 56. Public hearings on applications.

Within sixty (60) days after receipt of an application for a certificate, the city manager shall conduct a public hearing thereon, after giving at least fifteen (15) days' notice thereof, in writing, to the applicant and to holders of outstanding certificates. Such written notice shall be mailed to the applicant and to holders of outstanding certificates at the addresses as shown on the application and outstanding certificates. In addition to such written notice, due notice of such hearing shall be given to the general public by publishing, once each week for two (2) successive weeks immediately preceding the week in which the hearing will be held, in a daily newspaper published in the city, a notice of the time and place of such hearing. All applications filed within the sixty (60) day period and prior to the issuance of the notice fixing the date of such hearing shall be considered at the same time, together with the recommendations of the city manager relative thereto. Any interested person may appear in support of or in opposition to the application for a certificate. (Tax Code 1959, § 31-38)

Sec. 37- 57. Fee for publication of notice of public hearing.

In order to cover the cost of publication of the notice of public hearing required by Section 37-56, a deposit of one hundred dollars (\$100.00) shall be paid into the city treasury and receipt attached to the application when filed. (Tax Code 1959, § 31-39; Ord. No. O-84-141, § 1, 6-12-84, eff. 7-1-84; Ord. No. O-88-062, § 1, 3-22-88, eff. 7-1-88; Ord. No. O-96-136, 5-14-96)

Sec. 37- 58. City manager's recommendations to council as to issuance or denial.

If the city manager finds that further taxicab service in the city is required by the public convenience and necessity and that the applicant for a certificate is of good moral character, fit, willing and able to perform such public transportation and to conform to the provisions of this article and the rules and regulations promulgated by the city manager, and has complied with the provisions of sections 37-68 and 37-69, the city

manager shall recommend to the city council that the city council issue a certificate to the applicant; otherwise, the city manager shall recommend to the city council that the application be denied. The city manager shall include a complete report of his findings in his recommendation to the council. (Tax Code 1959, § 31-40)

Sec. 37-59. Factors considered in making findings.

In making the findings referred to in Section 37-58, the city manager shall take into consideration the following:

- (a) The adequacy of existing taxicab service and other forms of transportation for passengers already in existence in the city.
- (b) The probable permanence and quality of the services to be offered by the applicant for the certificate.
- (c) The probable effect of increased service on local traffic conditions.
- (d) The character and responsibility of the applicant for the certificate. (Tax Code 1959, § 31-41)

Sec. 37-60. Applicants to whom city manager may not recommend issuance.

The city manager shall not recommend the issuance of a certificate to any applicant for a certificate under the age of twenty-one (21) years, or who is not of good moral character or personally fit to conduct a taxicab business, or who shall have been convicted within five (5) years prior to the date of the hearing of violating any provision of Code of Virginia, Title 4, relating to transportation of liquors or relating to the sale, transportation, possession or distribution of any other controlled substance, or who shall have been convicted of a serious misdemeanor or felony within a period of five (5) years prior to the date of the hearing provided for in section 37-56. (Tax Code 1959, § 31-42; Ord. No. O-96-136, 5-14-96)

Sec. 37-61. To be granted only to owner.

No certificate shall be granted to any person unless he is the owner of the taxicab or taxicabs proposed to be operated pursuant to the certificate for which application is made. (Tax Code 1959, § 31-43)

Sec. 37-62. Exceptions to city manager's report to council; finality of council's decisions.

At or before the next succeeding regular meeting of the city council after the meeting at which the report of the city manager, made pursuant to section 37-58, is presented to the city council, any applicant for a certificate or other interested party may file written exceptions thereto with the clerk of council. Such applicant or interested party shall have an opportunity to be heard on the exceptions to the report at such time as may be fixed by the city council for the purpose. The decisions of the city council with regard to such exceptions and the report shall be final. (Tax Code 1959, § 31-44)

Sec. 37-63. Form and content; disposition of copies.

The certificate shall be filled out in duplicate and shall contain the name and address of the applicant, the number of vehicles authorized under the certificate and the date of issuance. One copy shall be retained in the files of the city manager and the applicant shall receive the other copy. (Tax Code 1959, § 31-45)

Sec. 37-64. Term; expiration for thirty-day failure to operate business.

Certificates shall be effective until canceled and shall expire when the holder thereof fails for a period of thirty (30) days to operate a taxicab business within the city in accordance with such certificate. (Tax Code 1959, § 31-46)

Sec. 37-65. Transfer.

Certificates shall not be transferable, except upon the written consent of the city manager endorsed on any such certificate. (Tax Code 1959, § 31-47)

Sec. 37-66. License for operation of business—Certificate prerequisite to issuance.

No license to operate a taxicab business within the city shall be issued to any person unless such person shall first have obtained a certificate from the city council. No additional certificate shall be required for the purpose of obtaining licenses so long as the original certificate remains in effect. (Tax Code 1959, § 31-4)

Sec. 37-67. Same—Procedure as to issuance.

Upon presentation of a certificate within thirty (30) days of its date to the commissioner of the revenue and upon satisfactory evidence that the holder of such certificate has complied with the provisions of sections 37-68 and 37-69 and upon payment of the license fee required under the applicable section of the tax code of the city, the commissioner of the revenue shall issue to the holder of such certificate a license to operate a taxicab business within the city. (Tax Code 1959, § 31-5)

Sec. 37-68. Insurance or bond—Required.

No certificate shall be issued until the applicant therefor shall submit satisfactory evidence to the city manager that he has filed with the state corporation commission such insurance policy, letter of credit or bond covering such liability or property damage as may be required by state law. (Tax Code 1959, § 31-6; Ord. No. O-96-136, 5-14-96)

Sec. 37-69. (Repealed by Ord. No. O-96-136, 5-14-96)**Sec. 37-70. Same—No liability on city.**

Nothing contained in sections 37-68 or 37-69 shall have the effect of fixing any liability on the city by reason of the maintenance and operation of any taxicab. (Tax Code 1959, § 31-8)

Sec. 37-71. Procedure when additional taxicabs required.

If the city manager shall determine, after investigation, although no application for any certificate may be pending, that public convenience and necessity requires the operation of additional taxicabs within the city, then the city manager may give such notice as he deems advisable that applications for additional certificates will be received, or he may, in his discretion, require the holders of outstanding certificates, or any one or more of them, to provide and operate additional taxicabs within the city. In the event that the holder of any such certificate shall refuse to do so, such refusal shall be grounds for the revocation or suspension of the certificate held by him. In the event of such revocation, the holder of any such certificate shall have the right of appeal to the city council to review the action of the city manager. (Tax Code 1959, § 31-48)

Sec. 37-72. No vested rights granted by this article.

No person operating a taxicab business under the provisions of this article shall acquire any vested rights in the streets of the city or any vested rights to use the same. Certificates may be suspended or revoked at any time by repeal or amendment of the applicable section or sections of this article. (Tax Code 1959, § 31-49)

Sec. 37-73. Revocation and suspension—Causes for action.

(a) A certificate may be revoked or suspended by the city manager for the following causes:

- (1) Failure to operate the taxicab or taxicabs specified in the certificate in such manner as to serve the public adequately.
 - (2) Failure to maintain such taxicabs in good order and repair.
 - (3) Failure to keep in force the bond or insurance as required under sections 37-68 and 37-69.
 - (4) Repeated and persistent violation of traffic and safety ordinances by drivers.
 - (5) Willful or continued failure to comply with the provisions of this article or willful or continued failure to comply with any of the provisions of this Code or other ordinances of the city or laws of the state or federal governments, the violation of which reflects unfavorably on the suitability of the holder of the certificate to offer public transportation.
 - (6) Failure of any operator to operate regularly the number of taxicabs authorized by his certificate.
 - (7) Failure to operate additional taxicabs when directed so to do by the city manager under the provisions of section 37-71.
 - (8) Failure to comply with any rule or regulation promulgated by the city manager under the provisions of section 37-35.
- (b) In case of proceeding under item (6) above, the city manager shall revoke the certificate to the extent that such certificate authorized the operation of a number of taxicabs in excess of the number regularly operated by such operator. (Tax Code 1959, § 31-50)

Sec. 37- 74. Same—No tice and hear ing.

Prior to suspension or revocation, the holder of the certificate involved shall be given notice of the proposed action to be taken and shall have an opportunity to be heard. (Tax Code 1959, § 31-51)

Sec. 37- 75. Same—Right of ap peal.

In the event of suspension or revocation of a certificate by the city manager, the holder thereof shall have the right of appeal to the city council at either of its next two (2) regular meetings following the date of such revocation or suspension. In the event of such appeal, the city council shall review the findings of the city manager and his action with regard to such revocation or suspension. (Code 1959, § 31-52)

Sec. 37- 76. Same—Term of sus pen sion.

Any certificate suspended shall not be suspended for less than ten (10) days nor more than thirty (30) days. (Code 1959, § 31-53)

Sec. 37- 77. Same—Re is sue after revo ca tion.

Any certificate revoked shall not be reissued to the same person under any circumstances for a term of at least one (1) year after the effective date of such revocation. (Code 1959, § 31-54)

Secs. 37- 78—37- 83. Re served.

DIVISION 4. REGISTRATION OF DRIVERS

Sec. 37- 84. Re quired.

Every driver shall be registered by the chief of police before driving any taxicab upon the streets of the city. (Code 1959, § 31-55)

Sec. 37-85. Penalty.

Any person who shall violate any of the provisions of this division shall, for a first violation, be deemed guilty of a class 4 misdemeanor; for each second or subsequent conviction under this division, committed within twelve (12) months from the date of a prior conviction hereunder, any such person shall be deemed guilty of a class 3 misdemeanor. (Code 1959, § 31-61)

Sec. 37-86. Fee.

A fee of fifty dollars (\$50.00) shall be paid to the city for processing and investigating the applicant, which fee shall be nonrefundable. (Code 1959, § 31-55; Ord. No. O-90-093, 3-27-90, eff. 7-1-90; Ord. No. O-95-206, 7-11-95, eff. 9-1-95)

Sec. 37-87. Term; renewal.

Original registration of a driver shall expire one year from date of issue, unless sooner revoked. All such registrations shall be renewed annually on or before the driver's date of birth each year. Such renewal registration shall continue for one year following, unless sooner revoked. (Code 1959, § 31-55; Ord. No. O-91-050, 3-26-91)

Sec. 37-88. Application.

Application for original and renewal registration shall be made to the chief of police on forms prescribed by the city manager for that purpose. The fee for such registration shall accompany each application for registration. It shall be unlawful for any applicant to willfully omit any information called for on such application form or to give any false information thereon. (Code 1959, § 31-56)

Sec. 37-89. Fingerprinting of applicants.

The chief of police shall cause each applicant for registration to be fingerprinted for the purpose of clearing convictions, if any. (Code 1959, § 31-59)

Sec. 37-90. Mandatory denial.

No applicant for original or renewal registration required by this division shall be registered by the chief of police if such applicant:

- (a) Does not have in force a valid license issued by the department of motor vehicles of the state; or,
- (b) Has, within the past three (3) years prior to the date of application, been convicted of a felony or petit larceny under the laws of the United States or any state; or,
- (c) Has, within three (3) years prior to the date of application, been convicted of driving a motor vehicle while under the influence of intoxicants or any narcotic drug under the laws of any state or municipality; or,
- (d) Has, within one (1) year prior to the date of application, been convicted of a violation of any of the provisions of the Code of Virginia, Title 4, relating to the transportation or sale of alcoholic beverages, or has, within one (1) year prior to the date of the application, been convicted of a violation of any state law or municipal ordinance relating to the sale, transportation, possession or distribution of intoxicating liquors or relating to the sale, transportation, possession or distribution of any other controlled substance; or
- (e) Has, within one (1) year prior to the date of application, been convicted of using or allowing the use of a vehicle to aid or promote prostitution or illicit sexual intercourse, or of violating any of the provisions of the Code of Virginia, Section 18.2-349, or any amendment thereof.
- (f) Has, any pending charges for any of the criminal offenses identified in paragraphs (b), (c), (d), or (e) of this section. (Code 1959, § 31-57; Ord. No. O-91-050, 3-26-91; Ord. No. O-96-136, 5-14-96)

Sec. 37-91. Authority to deny; appeal from denial.

The chief of police, except in cases where denial of registration is mandatory, after due hearing and upon not less than (5) days' notice in writing to the applicant, such notice to be sent by registered mail to the address given by the applicant in his application or by personal service upon the applicant, either of which shall constitute sufficient form of notice, may deny registration to any applicant, for good cause shown, including the conviction of the applicant for the violation of any of the provisions of this division or of any state law or municipal ordinance. Except in cases where denial of registration is mandatory, the applicant shall have the right, within twenty (20) days from the day registration is denied, to appeal to the judge of the municipal court from the decision of the chief of police denying registration. The decision of the judge of the municipal court after hearing relevant evidence shall be final. (Code 1959, § 31-58)

Sec. 37-92. Registration cards.

Every taxicab driver registered by the chief of police under the provisions of this division shall be furnished with a card signed by the chief of police certifying to his registration, which card shall contain a photograph of the taxicab driver made by the police division. Such card shall be conspicuously displayed in a manner directed by the chief of police in the taxicab at all times that the same is in charge of such driver. No driver shall drive a taxicab upon the streets of the city until he shall have secured a registration card from the chief of police. (Code 1959, § 31-60)

Sec. 37-93. Revocation or suspension—mandatory revocation generally.

The chief of police shall forthwith revoke and seize the registration of any taxicab driver upon ascertaining that such driver:

- (a) Has, within the preceding three (3) years, been convicted of a felony or petit larceny under the laws of the United States or any state; or,
- (b) Has, within the preceding three (3) years, been convicted of driving a motor vehicle while under the influence of intoxicants or any narcotic drug under the laws of any state or municipality; or,
- (c) Has, within the preceding year, been convicted of any of the provisions of Code of Virginia, Title 4, relating to the transportation or sale of alcoholic beverages, or has been convicted of violating any state law or municipal ordinance relating to the sale or transportation of intoxicating liquors or relating to the sale, transportation, possession or distribution of any other controlled substance; or,
- (d) Has, within the preceding year, been convicted of using or allowing the use of a vehicle to aid or promote prostitution or illicit sexual intercourse, or of violating any of the provisions of Code of Virginia, Section 18.2-349; or,
- (e) Has, within the preceding year, been convicted of two (2) offenses of reckless driving under the laws of any state or municipality; or,
- (f) Has, within the preceding year, been convicted of one (1) offense of reckless driving and two (2) offenses of exceeding the speed limit under the laws of any state or municipality; or,
- (g) Has, within the preceding year, been convicted of three (3) offenses of exceeding the speed limit under the laws of any state or municipality.
- (h) Does not have in force a valid operators license issued by the Virginia Department of Motor Vehicles.

When any taxicab driver is charged with any criminal offense that would result in the mandatory revocation of the driver's registration, if convicted, the chief of police shall suspend the driver's registration until such time as the criminal charges have been resolved. (Ord. No. O-96-136, 5-14-96)

Sec. 37-94. Same—Authority of chief of police; notice; appeal from action by chief of police.

The chief of police, except in cases where revocation is mandatory under section 37-93, after due hearing and upon not less than five (5) days' notice in writing to the taxicab driver, such notice to be sent by registered mail to the address given by the taxicab driver when applying for registration, or by personal service upon the taxicab driver, either of which shall constitute sufficient form of notice, may suspend or revoke the registration of any taxicab driver for good cause shown, including the conviction of the taxicab driver for the violation of any of the provisions of this division or any state law or municipal ordinance. Except in cases where revocation is mandatory under section 37-93, any taxicab driver shall have the right of appeal to the judge of the municipal court within twenty (20) days from the date of suspension or revocation. The decision of the judge of the municipal court after due hearing of relevant evidence shall be final. (Tax Code 1959, § 31-63)

Sec. 37-95. Same—Term.

In the event of revocation or suspension of registration of a driver, other than mandatory revocation, such suspension or revocation shall be for a period fixed by the chief of police or the judge of the municipal court upon appeal, but not exceeding one (1) year. (Tax Code 1959, § 31-64)

Sec. 37-96. Same—Registration after mandatory revocation.

In the event of mandatory revocation, registration shall not again be granted until such time as registration could be granted under the provisions of section 37-90. (Tax Code 1959, § 31-65)

Sec. 37-97. Same—Surrender and restoration of registration card.

In the event of any revocation or suspension of registration, the registration card of the driver shall forthwith be surrendered to the chief of police. In case of suspension only, the registration card shall be restored to the driver at the expiration of the period of suspension. (Tax Code 1959, § 31-66)

Sec. 37-98. Same—Driving during time of revocation or suspension.

It shall be unlawful for any person to drive a taxicab upon the streets of the city during the time his registration is revoked or suspended. (Tax Code 1959, § 31-67)

Secs. 37-99—37-104. Reserved.

DIVISION 5. TAXIMETERS, RATES AND CHARGES

Sec. 37-105. Required.

All taxicabs operating under this article shall be equipped with taximeters fastened to the taxicab in front of the passengers, visible to them at all times of the day and night; and, after sundown, the face of the taximeter shall be illuminated. (Tax Code 1959, § 31-68)

Sec. 37-106. Signal device.

Each taximeter shall have thereon a dome light or similar electronic device to denote when the vehicle is employed and when it is not employed. It shall be the duty of the driver to engage the dome light or similar electronic device of such taximeter into a recording position at a time when such vehicle is employed and such device shall remain in such recording position at all times during the transportation of passengers and at a nonrecording position at the termination of each trip. It shall be unlawful for a driver to fail, refuse or neglect to put the taximeter in operation when such vehicle is employed and to keep the device in a recording position at all times during such employment. (Tax Code 1959, § 31-69; Ord. No. O-96-136, 5-14-96)

37-107. Inspection generally; procedure in case of inaccuracy.

Taximeters shall be subject to inspection from time to time by the department of public safety. Any inspector or other officer of such department or any officer designated by the city manager, may either on complaint of any person or without such complaint, inspect any such taximeter and, upon discovery of any inaccuracy therein, shall notify the person operating such taxicab to cease operation. Thereupon, such taxicab shall be kept off the streets until the taximeter is repaired and in the required working condition or until such taximeter has been replaced in the taxicab by a properly working taximeter. (Code 1959, § 31-70)

Sec. 37-108. Rules and regulations as to inspection and sealing.

The city manager may promulgate additional rules and regulations regarding the inspection of taximeters and the sealing of such taximeters if he deems it in the public interest to do so. (Code 1959, § 31-71)

Sec. 37-109. Rates.

The rates to be charged passengers by owners or drivers of taxicabs shall be as provided in this section and it shall be unlawful for an owner to permit or a driver to make any greater or lesser charges for the transportation of passengers and luggage than the following charges:

(a) Trip rates.

(1) Mileage basis.

For the first one-ninth mile, or fraction thereof	\$1.40
For each succeeding one-ninth mile, or fraction thereof	0.20

(2) Waiting time. For each minute of waiting time, or fraction thereof,

after the first three (3) minutes	0.40
or \$24.00 per hour waiting time	

(b) Hourly rates. When hired on an hourly basis for one (1) or more passengers,

per hour	6.00
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(c) Trunks or footlockers. For transporting trunks or

footlockers along with passengers, each piece	1.00
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(d) Hand luggage.

(1) For each hand baggage in excess of two (2) bags per passenger, each additional bag	0.10
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(2) For packages without a passenger, each	1.00
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(e) Bags weighing one hundred (100) pounds, or over.

For each piece of baggage weighing one hundred (100) pounds, or over	1.00
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(f) For transporting pets, other than seeing-eye dogs, an additional charge for each pet	1.50
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(g) Two (2) or more passengers. An extra charge of twenty cents (\$0.20) per passenger shall be made for each additional passenger traveling together and discharged along the route or at the same destination.

(1) Should the first person taken into a taxicab for transportation permit the driver to allow another or others traveling in the same direction to be transported in the same taxicab with him, pursuant to Section 37-24, the passenger first arriving at his destination shall pay in accordance with the meter charge at that point, plus an extra charge of twenty cents (\$0.20) for each additional passenger transported and

discharged at that destination, whereupon the driver of the taxicab shall immediately clear his meter and set the same for immediate operation for the next passenger, who shall pay the meter charge upon arrival at his destination, plus an extra charge of twenty cents (\$0.20) for each additional passenger transported and discharged at that destination. The same method shall be followed for each succeeding passenger.

(2) When two (2) or more passengers are bona fide traveling together and engage a taxicab to different destinations, the charge shall be made as if the taxicab were hired for one (1) passenger for the last destination, plus an extra charge of twenty cents (\$0.20) for each additional passenger transported.

(h) Passengers to points beyond city limits. For transportation of passengers from the city to points beyond the city limits, the rates set out in this section shall be applicable only to so much of such trip as is within the city limits. (Ord. of 7-22-75, § 31-72; Ord. of 6-26-79; Ord. No. O-82-213, § 1, 10-12-82; Ord. No. O-90-284, 9-11-90; Ord. No. O-99-091, 5-11-99, eff. 6-1-99)

Sec. 37- 110. Receipt showing payment of fare.

A driver shall, upon request, deliver to the person paying the fare a receipt in legible type or writing showing the date, amount of fare paid, the name of the owner and driver, and the city license tag number of the taxicab. (Code 1959, § 31-73)

Sec. 37- 111. Failure to pay fare.

It shall be unlawful for any person who has been transported in a taxicab willfully fail, refuse or neglect to pay the driver of the taxicab the fare provided for under this division at the rates prescribed therefor immediately upon termination of the transportation, unless satisfactory arrangements are otherwise made with the driver for the payment of such fare. Every person who violates the provisions of this section shall be guilty of a class 2 misdemeanor for each offense. (Code 1959, § 31-74; Ord. No. O-96-136, 5-14-96)

Secs. 37- 112—37- 122. Reserved.

ARTICLE III. RENTAL VEHICLES*

Sec. 37- 123. Definition.

Wherever used in this article, the term "U-Drive-It" shall be construed to apply to all automobiles or motorcars offered for rent, hire or lease, or which are rented, hired or leased for operation without a chauffeur. (Code 1959, § 31-75)

Sec. 37- 124. Renting to person without driver's permit.

It shall be unlawful for any person engaged in the business of offering automobiles or motorcars for rent, hire or lease, to be driven by the person hiring same, to hire, rent or lease such automobiles or motorcars to any person, unless such person exhibits to the owner or person in charge of such business a permit from a duly authorized authority permitting him to drive or operate a motor vehicle under the laws of the city and state in which such permit is issued. (Code 1959, § 31-76)

Sec. 37-125. Penalty.

Any person violating the provisions of this article shall be deemed guilty of a class 4 misdemeanor. (Code 1959, § 31-77)

***Cross Reference**—License fee for rental car agencies, § 36-114(a)(15).